IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY THIRD DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

HON'BLE SRI DEVINDER GUPTA, CHIEF JUSTICE

and
HON'BLE SRI JUSTICE B.SESHASAYANA REDDY

WRIT PETITION NO : 2782 of 1995

Between:

D. Suseela, W/o N. Suryanarayana Murthy,
R/o. Rajahmundry, East Godavari District.

..... PETITIONER

AND

1 The District Judge,
East Godavari at Rajahmundry.
2 The Registrar (Admn),
High Court of A.P. Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus or any other appropriate Writ declaring the action of the 1st respondent in not appointing the petitioner to the post of Amin or Record Assistant in A.P., Judicial Ministrerial Service as illegal, arbitrary and consequently direct the 1st respondent to appoint the petitioner as Amin or Record Assistant in the unit of the 1st respondent and to pass such other or

further order as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner : SMT.N.(P).ANJANA DEVI, SATYANARAYANA

Counsel for the Respondents : MR.C.V.NAGARJUNA REDDY

The Court made the following :

ORAL ORDER:

(per Hon'ble The Chief Justice)

.....

1. 12 vacancies of Amins, 3 vacancies of Record Assistants and 6 vacancies of Attenders were notified by District Judge, East Godavari, for being filled up in accordance with the rules. Petitioner was one of the candidates who also applied for one of such posts of Amin/Record Assistant being a Scheduled Caste candidate. Out of the notified vacancies, two posts of Amins and one post of Record Assistant were reserved for Scheduled Caste candidates. Petitioner's case is that though selection process is over, she was given chance for interview and list was forwarded by 1st respondent to 2nd respondent, no appointment was given to the petitioner. Petitioner claims that she was aged 38 years and the relaxation given by the Government was about to expire. Therefore, her name ought to have been included in the selection list or in any case respondents ought to have prepared panel valid for future vacancies. Since her name was not in the selection list, she filed the present writ petition.

2 . Counter-affidavit was filed by District Judge, East Godavari District, Rajahmundry, stating that petitioner since fully qualified was duly interviewed along with others but was not found fit and accordingly was not selected for being placed in the panel of candidates to the posts. The counter-affidavit states that as per High Court's guidelines, panel has to be prepared selecting candidates at the ratio of 3 per one post in order of merit. Accordingly panel of six candidates were prepared in order of merit for two posts of Amins notified. But all the six candidates put in the panel do not get appointments. Similarly for one post of Record Assistant reserved for Scheduled Caste, a panel of three names was prepared in order of merit. Writ petitioner was not found suitable for either of the posts and her name did not figure in any of the panels of the said posts.

3. There being no challenge to the process of selection and there being no allegation of mala fide, there is hardly any ground to grant any relief in this petition when petitioner was duly given chance and was interviewed along with others and was not found fit and

suitable. Writ petition is, therefore, dismissed. No costs.

DEVINDER GUPTA. C.J.,

B. SESHASAYANA REDDY. J.,

Dated: 23.12.2004.

VRK.

To

1 The District Judge,
East Godavari at Rajahmundry.
2 The Registrar (Admn),
High Court of A.P. Hyderabad.

3. Two CD copies.

4. The Section Incharge, Legal Cell, High Court of A.P.,

Hyderabad.

HON'BLE SRI DEVINDER GUPTA,

CHIEF JUSTICE

AND

HON'BLE SRI JUSTICE B. SESHASAYANA REDDY.

W.P.NO. 2782 OF 1995

(Order of the Bench delivered by

Hon'ble The Chief Justice)

Dt: 23.12.2004.